

EXHIBIT 20

1 UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF OHIO
3 EASTERN DIVISION

4 IN RE: NATIONAL) MDL No. 2804
5 PRESCRIPTION OPIATE)
6 LITIGATION,) Case No.
7) 1:17-MD-2804
8)
9 THIS DOCUMENT RELATES TO) Hon. Dan A.
10 ALL CASES) Polster
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Wednesday, January 23, 2019

HIGHLY CONFIDENTIAL - SUBJECT TO FURTHER
CONFIDENTIALITY REVIEW

Videotaped Deposition of SUSANNE
HILAND, held at 4206 South J.B. Hunt Drive,
Rogers, Arkansas, commencing at 8:25 a.m., on
the above date, before Debra A. Dibble,
Certified Court Reporter, Registered
Diplomate Reporter, Certified Realtime
Captioner, Certified Realtime Reporter and
Notary Public.

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1 said, "I wouldn't necessarily bring this up,
2 but if they discuss anything about continuing
3 education programs for our DRs, I would like
4 to know what they consider acceptable
5 programs."

6 First off, why are you
7 suggesting that Mr. Harris not specifically
8 or necessarily bring that topic up?

9 A. I don't recall specifically. I
10 think we had access to some training, but we
11 weren't members of HDMA, so -- so some of the
12 training that might have applied to this
13 certification might not have been available
14 to us.

15 I don't know that it was all
16 that important and not a significant concern.

17 That's what I recall about that
18 continuing education. I don't recall if
19 there's anything else that I had in mind at
20 that time.

21 Q. So based on that, is it
22 possible you didn't want to call attention to
23 the fact that Walmart wasn't a member of the
24 HDMA and therefore might not have some of the
25 training that could be applied to the VAWD

1 A. This was part of the program
2 that we put in place to address, enhance
3 additional monitoring of oxycodone 30, and it
4 included -- that plan included the mandatory
5 checking of prescription monitoring programs
6 when oxycodone 30 prescriptions were filled,
7 as well as a requirement for our pharmacists
8 to gain access to their state prescription
9 monitoring programs, if access was allowed at
10 the state level.

11 Q. And why, at that time, did
12 Walmart decide that it needed additional
13 monitoring of oxycodone 30s?

14 A. We had received information
15 from a DEA agent that oxycodone 30 was on
16 their radar to be -- I mean, just to kind of
17 simplify.

18 That they had heightened
19 concerns about oxycodone 30. During that
20 meeting they indicated that Walmart was not a
21 focus of the concerns that they had, but we
22 wanted to proactively establish additional
23 due diligence to ensure that we didn't become
24 part of the DEA's concern around oxy 30.

25 Q. And this plan that was outlined

1 Q. So this letter opens -- the
2 opening paragraph asks Senator Harkin to
3 fight prescription diversion abuse. Right?

4 A. Yes.

5 Q. Okay. And you ascribe the
6 matter as urgent; is that right?

7 A. Yes.

8 Q. And this is in -- this is in
9 2012?

10 A. Yes.

11 Q. Why in 2012 did you feel that
12 the matter was urgent?

13 A. This was part of efforts that
14 we had ongoing. This was in the -- kind of
15 in the same time frame that we were hearing
16 about the oxy 30 issues from the DEA. I know
17 that there were actions taken against some of
18 our competitors around their dispensing
19 habits, and so we were seeing the issues
20 related to opioid use continuing to rise,
21 just coming from an environmental scan.

22 Q. Did you say opioid use or
23 opioid abuse?

24 A. I meant abuse, if ...

25 Q. So the reason why, in August of

1 2012, you believe the matter was urgent was
2 because of the conversations you had had with
3 the DEA regarding oxy 30 and the fines and
4 penalties that were leveled against folks who
5 were similarly situated to Walmart in the
6 dispensing and distribution of opioids.

7 MS. TABACCHI: Object to the
8 form.

9 THE WITNESS: Really what we
10 were -- what we were seeing as a
11 continuing issue related to the opioid
12 abuse.

13 Q. (BY MR. INNES) Okay. And you
14 mentioned that the DEA told you that they
15 weren't focused on Walmart in particular for
16 oxy 30s at that point in time; right?

17 A. That is correct.

18 Q. And these actions that you
19 referenced were brought against companies
20 other than Walmart? That's right?

21 A. Correct.

22 Q. So why would a warning from the
23 DEA that you weren't a concern, that Walmart
24 wasn't a concern and actions against
25 companies other than Walmart create this